

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

BRENTON ULLMAN, *et al.*,

Plaintiff,

vs.

Case No. 14-cv-843 SMV/GBW

DENCO, INC., *et al.*,

Defendants.

**ORDER GRANTING MOTION FOR PROTECTIVE ORDER**

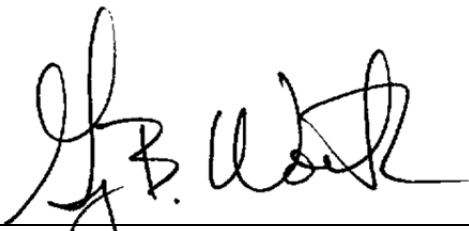
This matter comes before the Court on Defendants' Motion for Protective Order Regarding Depositions Scheduled for July 2015. *Doc. 98*. Defendants argue that an upcoming trial in state court, of which Plaintiffs were aware, precludes them from preparing for and conducting the depositions during the times noticed by Plaintiffs, *docs. 93-97. Id. at 2*.

Under Rule 26(c), "[t]he court may, for good cause, issue an order to protect a party or person from . . . undue burden or expense . . . [by] specifying terms, including time and place, for the disclosure of discovery." FED. R. CIV. P. 26(c). The Court discussed the matter with the parties at a conference on July 1, 2015. *Doc. 106*. During that conference, Defendants elaborated on the labor-intensive nature of the state court trial. *Id. at 2*. Defendants' counsel also represented to the Court that the parties had agreed to specific dates in August 2015 for the depositions at issue here. *Id.* Given that

the parties appear to have reached an agreement, and, in the alternative, that Defendants have met their burden of showing good cause under Rule 26(c), the Court will grant the Motion.

IT IS THEREFORE ORDERED that Defendants' Motion for Protective Order, *doc.* 98, is GRANTED. Defendants are hereby relieved from any obligation to conduct any of the noticed depositions in July 2015, *docs.* 93-97.

IT IS FURTHER ORDERED that the specified deposition dates for August 2015 set by the parties via emails exchanged on or around June 30, 2015, shall not be altered except by Court order or agreement of the parties.



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GREGORY B. WORMUTH  
UNITED STATES MAGISTRATE JUDGE